

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application Of:)	Att.: Box Missing Parts
)	
Frederick J. DOJAN, et al.)	Group Art Unit: 3728
)	
Serial No. 10/767,404)	Examiner: TBD
)	
Filed: January 28, 2004)	Docket No. 005127.00280
)	
For: ARTICLE OF FOOTWEAR HAVING A)	
FLUID-FILLED BLADDER WITH A)	
REINFORCING STRUCTURE)	

SUBMISSION OF MISSING PARTS OF NONPROVISIONAL APPLICATION

Commissioner for Patents
Alexandria, VA 22313

Sir:

Pursuant to the Notice to File Missing Parts of Application dated June 15, 2004, Applicants hereby submit their executed Declaration in the above Application. The Commissioner is hereby authorized to charge deposit account 19-0733 for a total of \$2,082.00, which includes the basic filing fee of \$790.00, \$468.00 for 26 claims over 20, \$264.00 for 3 independent claims over 3, the \$130.00 surcharge as set forth in 37 C.F.R. §1.16(e), and \$430.00 for a two-month extension of time. Should any additional fees be necessary, the Commissioner is authorized to charge the cost of the additional fees to deposit account 19-0733.

The submission of these missing parts, and two month extension of time, is timely filed by virtue of its filing by facsimile on October 12, 2004. However, should any extension or additional fee be required for the filing of these papers, such extension is requested and the Commissioner is hereby authorized to charge said fee to our Deposit Account No. 19-0733.

Respectfully submitted,

By:


Byron S. Kuzara, Registration No. 51,255

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
Telephone: 503-425-6800

Dated: October 12, 2004

**BANNER & WITCOFF, LTD.**
INTELLECTUAL PROPERTY LAW601 SW SECOND AVENUE, # 1900
PORTLAND, OREGON 97204TEL: 503.425.6800
FAX: 503.425.6801
www.bannerwitcoff.com**FACSIMILE TRANSMITTAL SHEET****To:**
Office of Initial Patent Examination -
Missing Parts**FROM:**
Byron S. Kuzara**COMPANY:**

USPTO

DATE:

October 12, 2004

FAX NUMBER:

703-746-4060

TOTAL NO. OF PAGES:

15

RE:

App. No. 10/767,404

OUR REFERENCE NO.:

005127.00280

*If you do not receive all page(s) or have any problems receiving this transmission, please call:***NAME:** Lesa Wolman**PHONE:** 503-425-6800**COMMENTS:**RECEIVED
OCT 14 2004
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PTO/SB/97 (08-03)

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Fee Transmittal (1 page)

Petition for Extension of Time (1 page)

Submission of Missing Parts (2 pages)

Executed Declaration (2 pages)

Copy of Notice to File Missing Parts (2 pages)

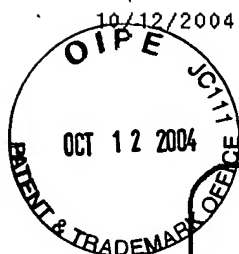
Supplemental Application Data Sheet (5 pages)

Serial No. 10/767,404

Attorney Docket No. 005127.00280

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-04)

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 2082

Complete If Known

Application Number	10/767,404
Filing Date	1/28/04
First Named Inventor	Frederick J. Dojan, et al.
Examiner Name	TBD
Art Unit	3728
Attorney Docket No.	005127.00280

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None☒ Deposit AccountDeposit
Account
Number

19-0733

Deposit
Account
Name

Banner & Witcoff, LTD.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	790
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	385	Reissue filing fee	
1005	150	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 790)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims	46	-20**	= 26	X	18	=	468
Multiple Dependent Claims	6	-3**	= 3	X	88	=	264
Multiple Dependent		0		X	300	=	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	16	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 732)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	430
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	690	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Director	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (a)	
1808	180	1808	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 560)

SUBMITTED BY

Name (Print/Type) Byron S. Kuzara

Registration No. (Attorney/Agent)

51,255

Telephone

503-425-6800

Signature

Byron S. Kuzara

Date

10/7/04

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www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,404	01/28/2004	Frederick J. Dojan	005127.00280

22909
BANNER & WITCOFF, LTD.
1001 G STREET, N.W.
WASHINGTON, DC 20001-4597

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JUN 17 2004

BANNER & WITCOFF

CONFIRMATION NO. 2856

FORMALITIES LETTER



OC000000012850651

Date Mailed: 06/15/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.138(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$726 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1626 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.


10/14/2004 JBR/LINAN 00000151 190733 10767404
01 FC:1001 790.00 DA
02 FC:1201 264.00 DA
03 FC:1051 130.00 DA
04 FC:1202 468.00 DA

- Total additional claim fee(s) for this application is \$726

- \$258 for 3 independent claims over 3.
- \$468 for 26 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*


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